



**COUNTY OF LOS ANGELES**  
**DEPARTMENT OF PUBLIC WORKS**

*"To Enrich Lives Through Effective and Caring Service"*

900 SOUTH FREMONT AVENUE  
ALHAMBRA, CALIFORNIA 91803-1331  
Telephone: (626) 458-5100  
<http://dpw.lacounty.gov>

**GAIL FARBER, Director**

ADDRESS ALL CORRESPONDENCE TO:  
P.O. BOX 1460  
ALHAMBRA, CALIFORNIA 91802-1460

April 02, 2013

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, California 90012

Dear Supervisors:

**ADOPTED**

BOARD OF SUPERVISORS  
COUNTY OF LOS ANGELES

**36 April 2, 2013**

*Sachi A. Hamai*  
SACHI A. HAMAI  
EXECUTIVE OFFICER

**ADOPT, ADVERTISE, AND AWARD  
ROADWAY RESURFACING AND PARKWAY IMPROVEMENTS  
IMPERIAL HIGHWAY – SHOEMAKER AVENUE  
TO LA MIRADA BOULEVARD AND BREEZEWOOD DRIVE  
TO ORANGE COUNTY BOUNDARY  
IN THE CITIES OF LA MIRADA AND SANTA FE SPRINGS AND  
IN THE UNINCORPORATED COMMUNITY OF SOUTH WHITTIER  
(SUPERVISORIAL DISTRICT 4)  
(3 VOTES)**

**SUBJECT**

This action is to approve the project for roadway resurfacing and parkway improvements for Imperial Highway – Shoemaker Avenue to La Mirada Boulevard and Breezewood Drive to Orange County Boundary, in the Cities of La Mirada and Santa Fe Springs and in the unincorporated community of South Whittier; adopt the plans and specifications; call for bids; authorize the Director of Public Works or her designee to award and execute a consultant services agreement for the preparation of a baseline construction schedule, a health and safety plan, and a soil management plan for a fee not to exceed \$12,500 and a construction contract with the apparent responsible contractor with the lowest responsive bid; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

**IT IS RECOMMENDED THAT THE BOARD:**

1. Approve the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for Imperial Highway – Shoemaker Avenue to La Mirada Boulevard and Breezewood Drive to Orange County Boundary, in the Cities of La Mirada and Santa Fe Springs and in the unincorporated community of South Whittier, at an estimated construction

contract cost between \$3,500,000 and \$4,800,000.

2. Instruct the Executive Officer of the Board of Supervisors to advertise for bids to be received and opened on April 30, 2013, in accordance with the Instruction Sheet for Publishing Legal Advertisement.
3. Authorize the Director of Public Works or her designee to award and execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule, a health and safety plan, and a soil management plan for a fee not to exceed \$12,500 funded by existing project funds.
4. Authorize the Director of Public Works or her designee to award and execute a construction contract with the apparent responsible contractor with the lowest responsive bid within the estimated cost range, approve the Faithful Performance and Labor and Material Bonds and insurance certificate submitted by the contractor, and deliver the project.
5. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

#### **PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION**

The purpose of the recommended actions is to obtain approval of the project from the Board, adopt the plans and specifications, advertise for bids, authorize the Director of Public Works (Director) or her designee to execute a consultant services agreement to prepare a baseline construction schedule, a health and safety plan, and a soil management plan for a fee not to exceed \$12,500 funded by existing project funds and award a construction contract with the apparent responsible contractor with the lowest responsive bid, and delegate certain responsibilities to the Director or her designee to carry out this project.

The proposed consultant services agreement to prepare a baseline construction schedule, a health and safety plan, and a soil management plan that conform to the County of Los Angeles' (County) specifications is critical to successfully manage construction activities by both the contractor and the County, and a responsible contractor must be able to produce these deliverables. The Department of Public Works (Public Works) may return to the Board to recommend that the bidder be determined nonresponsible and recommend awarding the construction contract to the next apparent responsible contractor with the lowest responsive bid contingent on that bidder completing deliverables which conform to the County's specifications.

#### **Implementation of Strategic Plan Goals**

The Countywide Strategic Plan directs the provisions of Operational Effectiveness (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing improved highway facilities for the traveling public.

### **FISCAL IMPACT/FINANCING**

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$3,500,000 to \$4,800,000. The total project cost is estimated to be \$7,518,000. In addition to the construction contract cost, the total project cost includes preparation of plans and specifications, consultant services, materials testing and reporting, survey, traffic control, inspection, contract administration, change order contingency, and other County services.

Portions of the project are in the Cities of La Mirada and Santa Fe Springs. County-City of La Mirada Cooperative Agreement No. 77648 and County-City of Santa Fe Springs Cooperative Agreement No. 77647, both executed on September 6, 2011, provide for the County to perform the preliminary engineering and administer the construction of the project, with the City of La Mirada, the City of Santa Fe Springs, and the County to finance their respective jurisdictional shares of the project costs, estimated to be \$2,452,000, \$298,000, and \$4,768,000; respectively.

Eligible portions of the project will be administered under the Federal Safe, Accountable, Flexible Efficient Transportation Equity Act – A Legacy for Users, Federal Transportation Equity Act for the 21st Century grant funds and the Federal Surface Transportation Program covered by Agreement No. 76078 with the State of California. Under these programs, Federal grant funds awarded to local agencies are used to finance a portion of the construction cost.

Sufficient funds to finance the County's share of the project cost and the County's contribution of Highways-Through-Cities funds to the City of La Mirada is included in the Fourth Supervisorial District's Road Construction Program in the Fiscal Year 2012-13 Proposition C Local Return Capital Reserve Agreement Fund and Road Fund Budgets.

The annual maintenance cost for landscaping improvements is estimated to be \$33,000. Commencing in Fiscal Year 2013-14, sufficient appropriation is included in the Fourth Supervisorial District's Annual Road Construction Program in the Road Fund Budget to finance the ongoing maintenance cost.

### **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

This project is part of the Public Works' ongoing program for the maintenance of roadways. It will be advertised in accordance with Section 20392 of the State Public Contract Code.

This project is to be completed in 180 working days. It is estimated the work will start in September 2013 and be completed in May 2014.

Delegating to the Director or her designee the authority to award and execute this construction contract allows an expedited contracting process to obtain a contractor for roadway resurfacing and parkway improvements.

The contract agreement will be in the form previously reviewed and approved as to form by County Counsel.

The award of the contract will not result in unauthorized disclosure of confidential information and will be in full compliance with Federal, State, and County regulations. The project specifications contain

provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure that the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

## **ENVIRONMENTAL DOCUMENTATION**

On September 6, 2012, Agenda Item No. 29, the Board found this project categorically exempt from the provisions of the California Environmental Quality Act.

## **CONTRACTING PROCESS**

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Director will be made upon review of the bids meeting the criteria established by the Board and the State Public Contract Code. The County Local Small Business Enterprise preference will not be applied to the determination of the lowest responsive and responsible bidder. To be eligible for the Federal funds financing the majority of this project, Title 49, Code of Federal Regulations, requires award to the lowest bidder.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on the County website for upcoming bids.

## **IMPACT ON CURRENT SERVICES (OR PROJECTS)**

When the project is completed, it will have a positive impact by providing improved roadway facilities

for the traveling public.

**CONCLUSION**

Please return one adopted copy of this letter to the Department of Public Works, Construction Division. If you have any questions, please contact Ms. Sumitha Shival at (626) 458-3159 or [sshival@dpw.lacounty.gov](mailto:sshival@dpw.lacounty.gov).

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER

Director

GF:JTS:mt

c: Chief Executive Office (Rita Robinson)  
County Counsel  
Executive Office  
Internal Services Department (Countywide  
Contract Compliance)